

**OPEN LETTER TO BOTTLERS OF COCA-COLA, U.S. and FOREIGN, and
STOCKHOLDERS
AND CONSUMERS OF COCA-COLA
by Sherman H. Skolnick**

1. In 1989, The Coca-Cola Company failed and neglected to renew their copyright of their "contour bottle" with the U.S. Copyright Office.

2. At about the same time, Robert E. Kolody, an innovative designer, was working on storyboards and designs as to Coca-Cola. He at the time did not know that The Coca-Cola Company and/or their subsidiaries had not renewed their copyright with the U.S. Copyright Office.

3. Kolody submitted his storyboards and designs to The Coca-Cola Company and by and through their marketing adjunct, Simon Marketing.

4. In 1994, Kolody obtained the U.S. Copyright on the "contour bottle".

5. THEREAFTER, The Coca-Cola Company committed perjury and fraud upon the U.S. Copyright Office by also obtaining the fraudulent copyright, as a cover-up of their failure to renew. [See attached letter from Copyright Office warning Coca-Cola.]

6. In 1997, Kolody started a federal suit against Simon Marketing and The Coca-Cola Company, in the U.S. District Court in Chicago, No. 97 C 190.

7. The Coca-Cola Company committed apparent securities fraud by not informing of this situation to the U.S. Securities and Exchange Commission. Stockholders of The Coca-Cola Company, a publicly traded firm, should have been informed.

8. In July, 2000, Kolody's ownership of the Coca-Cola copyright of the "contour bottle" was placed on auction with eBay and the reserve was not met. Posted with it were documents of the U.S. Copyright Office. A top official of The Coca-Cola Company, Ben Deutsch[bdeutsch@na.ko.com], communicated with Kolody but did not protest or object to Kolody auctioning the Coca-Cola copyright, nor did any other official of Coca-Cola.

9. On May 18, 2000, in the presence of Kolody and his principal attorney, Dan Ivy, I as a TV Show moderator and producer and electronic journalist, interviewed Kolody's local counsel, Daniel v. Hanley. A excerpt from the federal court record follows

"Skolnick Does Coca-Cola and their attorneys know the legal strategy of Robert Kolody and his attorney Dan Ivy here?

Hanley Yes.

Skolnick Really? How could they know?

Hanley My sister is the media buyer for Coca-Cola." [Declaration of Skolnick, filed 8/9/2000.]

Thereafter, I found out that his sister, Mary Hanley, has been listed as Associate Media Director, of the advertising agency, DDB Chicago, Inc. [Her direct number(312) 552-6368. FAX (312) 552-2394. Internet address MaryHanley@chi.ddb.com] I repeated the substance of that interview in my sworn court testimony on August 22, 2000, in the presence, among others, of Daniel V. Hanley.

10. Apparently contrary to U.S. Anti-Trust laws, DDB represents both The Coca-Cola Company and their purported competitor, Pepsico.

11. During a federal court hearing on August 22, 2000, the alleged attorney for Simon Marketing, Jacqueline A. Criswell, of the firm Tressler, Soderstrom, Maloney & Priess, claimed she did not know of Cyrk, Inc., the firm that took over Simon Marketing. [As shown by Official Court transcript.]

12. In Chicago, U.S. District Judge Blanche M. Manning [(312) 435-7608. FAX (312) 435-7578], sought to hush up this matter by committing a series of judicial perjuries in her Court. As shown by the Court records, the Judge committed several frauds upon her own Court, including blocking discovery. To deal with this, the Judge sat as a Judge in her own case, forbidden by Anglo-Saxon fundamental Law.

13. The foregoing matters are adequately proven in the federal district court record in No. 97 C 190, with voluminous documents.

14. By reasonable estimates, Coca-Cola bottlers and/or distributors, from 1989 to date, have been over-charged and falsely charged by The Coca-Cola Company and their subsidiaries, approximately 108 BILLION Dollars.

QUESTIONS

15. By what legal right, does The Coca-Cola Company and/or their subsidiaries, since their copyright to the "contour bottle" expired in 1989, continue to charge and collect license fees, royalties, and other fees from those who are bottlers and/or distributors of Coca-Cola, as a percentage of the cost for their secret syrup which includes marketing, advertising, and packaging charges?


16. How have U.S. and foreign bottlers and/or distributors been damaged by The Coca-Cola Company failing and neglecting to inform them of the foregoing situation?

17. How have consumers and Coca-Cola stockholders been damaged?

MORE

18. Most of the foregoing has already been on my popular public access Cable TV Program "BroadSides", cablecast within Chicago, such as on July 31, 2000. [Since 1991, the program is on in Chicago every Monday evening, 9 p.m., Channel 21 Cable TV and reaches some 400,000 viewers.] Because of their own financial hang-ups, the mass media have failed so far to report these matters.

EXAMINE THE ATTACHED COPIES OF DOCUMENTS OF THE U.S. COPYRIGHT OFFICE.



issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters
REGISTER OF COPYRIGHTS
United States of America

CVVA
UNITED STATES COPYRIGHT OFFICE

REG: **VAU 297-992**

EFFECTIVE DATE OF REGISTRATION
JUN 13 1994

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

TITLE OF THIS WORK **Designs For Soda Pop Cans**

NATURE OF THIS WORK **Drawings**

PREVIOUS OR ALTERNATIVE TITLES **None**

PUBLICATION AS A CONTRIBUTION **None**

Published in a periodical or serial give	Volume	Number	Issue Date	On Pages
None				

NAME OF AUTHOR **Robert Kolody**

DATES OF BIRTH AND DEATH
Year Born **1949** Year Died

Was this contribution to the work "work made for hire"?
 No Yes

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country **U.S.A.**
OR
Citizen of **U.S.A.**
Domiciled with **U.S.A.**

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No

NOTE: Check appropriate boxes. See instructions.

NATURE OF AUTHORSHIP
 3-Dimensional sculpture
 2-Dimensional artwork
 Reproduction of work of art
 Design on sheetlike material
 Map
 Photograph
 Jewelry design
 Technical drawing
 Text
 Architectural work

NAME OF AUTHOR **Robert Kolody**

DATES OF BIRTH AND DEATH
Year Born Year Died

Was this contribution to the work "work made for hire"?
 Yes No

AUTHOR'S NATIONALITY OR DOMICILE
Name of Country
OR
Citizen of
Domiciled with

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
Anonymous? Yes No
Pseudonymous? Yes No

NATURE OF AUTHORSHIP
 3-Dimensional sculpture
 2-Dimensional artwork
 Reproduction of work of art
 Design on sheetlike material
 Map
 Photograph
 Jewelry design
 Technical drawing
 Text
 Architectural work

YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED **1989**

DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK
Month Day Year

COPYRIGHT CLAIMANT(S) Name and address must be given in (a) if the claimant is the same as the author given in space 1. **Robert E. Kolody, 223 Saint Andrews Drive, Schererville, IN 46375**

APPLICATION RECEIVED **JUN 13 1994**

ONE DEPOSIT RECEIVED **JUN 13 1994**

TWO DEPOSITS RECEIVED

REMITTANCE NUMBER AND DATE

MORE ON BACK **1**

EXAMINED BY IM FORM VA
 CHECKED BY _____
 CORRESPONDENCE FOR
 Yes OFFICE
 USE
 ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

Yes No If your answer is "Yes," give a brief statement of the work previously registered in unpublished form. (Check appropriate box)

a. This is the first published edition of a work previously registered in unpublished form.

b. This is the first application submitted by this author as copyright claimant.

c. This is a changed version of the work as shown in space 4 on this application.

If your answer is "Yes," give: Previous Registration Number _____ Year of Registration

DERIVATIVE WORK OR COMPILATION Complete both space 6a & 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates.

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed.

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name Account Number

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt./City/State/Zip

Robert M. Ward
 10 S. Wacker Dr. - Ste 3000
 Chicago, IL 60606

Area Code & Telephone Number 312-715-1000

CERTIFICATION I, the undersigned, hereby certify that I am the

Check only one

author

other copyright claimant

owner of exclusive rights

authorized agent of _____

Name of author or other copyright claimant, or owner of exclusive rights.

of the work identified in this application and that the statements made

by me in this application are correct to the best of my knowledge.

Typed or printed name and date If this application gives a date of publication in space 3, do not sign and submit it before that date.

Robert Kolody

date 4-29-94

Handwritten signature

Robert M. Ward

MAIL CERTIFICATE TO

Robert M. Ward
 Allegretti & Witcoff, Ltd.
 Number Seven Apartment Number
 10 S. Wacker Dr. - Ste. 3000
 City State/Zip
 Chicago, IL 60606

Certificate will be mailed in window envelope

1. Application form
 2. Nonrefundable \$20 filing fee
 3. Check or money order payable to Registrar of Copyrights
 4. Deposit material
- Request of Copyrights
 Library of Congress
 Washington, D.C. 20540

The Copyright Office has the authority but does not have the authority to issue a Certificate of Registration. The fee is charged in advance. Copyright Office will not issue the certificate for any other reason.

17 U.S.C. § 508(a) Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 408, or in any written statement filed in accordance with the application, shall be fined not more than \$1,000.

CERTIFICATE OF REGISTRATION



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters
 REGISTER OF COPYRIGHTS
 United States of America

FORM VA
 For a Work of the Visual Arts
 UNITED STATES COPYRIGHT OFFICE
 REGS



EFFECTIVE DATE OF REGISTRATION
10 Nov 18 Dec 94

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

TITLE OF THIS WORK **▼** Storyboards and Plans for Classic Car Themes and Promotions NATURE OF THIS WORK **▼** See instructions

PREVIOUS OR ALTERNATIVE TITLES **▼**
None

PUBLICATION AS A CONTRIBUTION **▼** If this work was published as a contribution to a periodical, serial, or collective, give information about the collective work in which the contribution appeared. Title of Collective Work **▼**

If published in a periodical or serial give: Volume **▼** Number **▼** Issue Date **▼** On Pages **▼**

2 NAME OF AUTHOR **▼** Robert Kolody DATES OF BIRTH AND DEATH
 Year Born **▼** Year Died **▼**

Was this contribution to the work a "work made for hire"? **▼** Yes No
 AUTHOR'S NATIONALITY OR DOMICILE **▼** Name of Country: USA
 OR Citizen of **▼** USA OR Domiciled in **▼** USA
 WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK **▼** Anonymous? Yes No Pseudonym? Yes No

NOTE
 Check the box "the author" if a work made for

NATURE OF AUTHORSHIP **▼** Check appropriate boxes. See instructions.
 3-Dimensional sculpture Map Technical drawing
 2-Dimensional artwork Photograph Text
 Reproduction of work of art Jewelry design Architectural work
 Design on sheetlike material

NAME OF AUTHOR **▼** DATES OF BIRTH AND DEATH
 Year Born **▼** Year Died **▼**

Was this contribution to the work a "work made for hire"? **▼** Yes No
 AUTHOR'S NATIONALITY OR DOMICILE **▼** Name of Country: USA
 OR Citizen of **▼** USA OR Domiciled in **▼** USA
 WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK **▼** Anonymous? Yes No Pseudonym? Yes No

14620578

NATURE OF AUTHORSHIP **▼** Check appropriate boxes. See instructions.
 3-Dimensional sculpture Map Technical drawing
 2-Dimensional artwork Photograph Text
 Reproduction of work of art Jewelry design Architectural work
 Design on sheetlike material

YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED **▼** 1989 DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK **▼**
 This information must be given if the work has been published. Month **▼** Day **▼** Year **▼**

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. **▼**

Robert Kolody
223 Saint Andrews Drive
Schererville, IN 46375

TRANSFER If the claimant(s) named here in space 4 are different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the work. **▼**

APPLICATION RECEIVED 10/18/94

ONE DEPOSIT RECEIVED 10/18/94

TWO DEPOSITS RECEIVED

REMITTANCE NUMBER AND DATE

MORE ON BACK **▼** Complete all applicable spaces, numbers 1-4, on the reverse side of this page. See detailed instructions.

DO NOT WRITE HERE
 Page 1 of 1 page

EXAMINED BY IM FORM VA
 CHECKED BY _____
 CORRESPONDENCE FOR
 Yes OFFICE
 USE
 ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

Yes No If your answer is "Yes," give a brief statement of the work previously registered in unpublished form.

a. This is the first published edition of a work previously registered in unpublished form.

b. This is the first application submitted by this author as copyright claimant.

c. This is a changed version of the work as shown in space 4 on this application.

If your answer is "Yes," give: Previous Registration Number _____ Year of Registration _____

DERIVATIVE WORK OR COMPILATION Complete both space 6a & 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. _____

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. _____

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name _____ Account Number _____

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt./City/State/Zip _____

Robert M. Ward
 10 S. Wacker Dr. - Ste 3000
 Chicago, IL 60606

Area Code & Telephone Number 312-715-1000

CERTIFICATION I, the undersigned, hereby certify that I am the

Check only one

author

other copyright claimant

owner of exclusive rights

authorized agent of _____

Name of author or other copyright claimant, or owner of exclusive rights. A

of the work identified in this application and that the statements made

by me in this application are correct to the best of my knowledge.

Typed or printed name and date If this application gives a date of publication in space 3, do not sign and submit it before that date.

Robert Kolody

date 4-29-94

Handwritten signature (S) _____

Robert M. Ward

MAIL CERTIFICATE TO

Robert M. Ward
 Allegretti & Witcoff, Ltd.

Number/Street/Apartment Number _____

10 S. Wacker Dr. - Ste. 3000

City/State/Zip _____

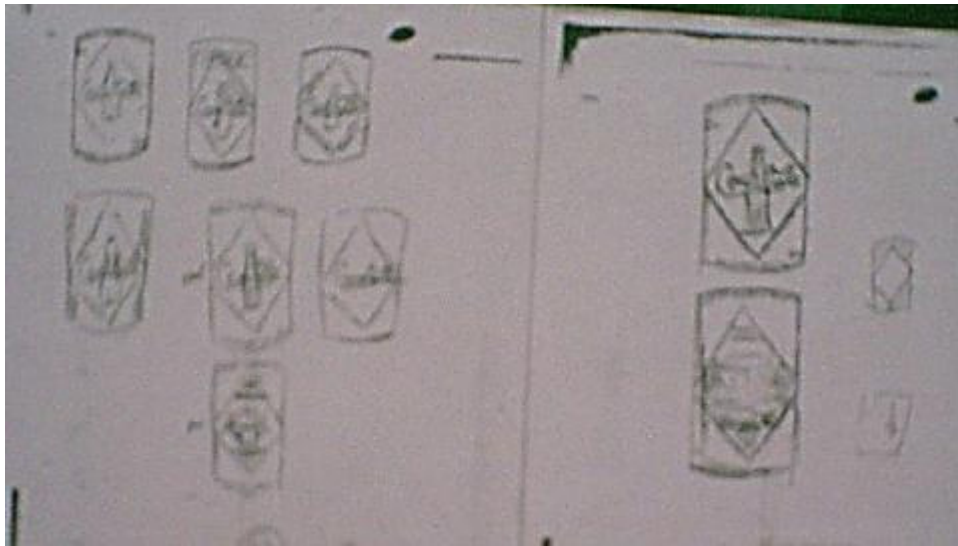
Chicago, IL 60606

Certificate will be mailed in window envelope

1. Application form
 2. Nonreturnable \$20 filing fee
 3. Check or money order payable to Registrar of Copyrights
 4. Deposit material
- Request of Copyrights
 Library of Congress
 Washington, D.C. 20540

This Copyright Office has the authority but does not have the authority to issue a Certificate of Registration. The fee is charged in order to issue a Certificate of Registration. If you wish to issue a Certificate of Registration, you must pay the fee.

17 U.S.C. § 508(a) Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 408, or in any written statement filed in accordance with the application, shall be fined not more than \$1,000.



mately 22 years, Mr. Douglass has filled positions as bottler, route salesman, route manager, sales and warehouse manager, and has worked in both the Seattle and Tacoma branches over this period.

George Lake has been transferred from the Coca-Cola Bottling Company of Ohio to the Midwest Coca-Cola Bottling Company in Toledo where he will assume the duties of sales manager. Mr. Lake, who joined the Ohio Company in 1957 as assistant sales manager, became advertising manager before his latest transfer to Toledo.

Floyd Braid, who started with the Ohio Company in 1948 as route salesman, later becoming route manager and vending sales manager, will assume duties of sales manager.

GLASS SALES CLIMB HIGHER

At termination of the 1961 Glass Sales Contest, Fountain Sales Department reported an increase in glass sales of 28% over the corresponding period of 1960. The contest ran from March 1 to July 31. For the first seven months of 1961, glass sales were up 20% over the same period last year.

In the District of each Region having the highest average sales per man a \$25 prize went to each salesman, District manager and secretary.

A commission paid on glasses sold went into a District pool and at the contest's conclusion was divided among the salesmen.

Winning Districts were: Providence, Manhattan, Pittsburgh, Birmingham, Dallas, Indianapolis, Minneapolis, Detroit, Denver, and Southern California.

1962 TELEVISION PLANS ANNOUNCED

The Coca-Cola Company has signed contracts with CBS-TV for participating network sponsorship of two of their top attractions, "Rawhide" and "Perry Mason," to begin in January, 1962.

Station clearances are not yet final, but it is expected that approximately 180 stations will be cleared for each program. The combined audience of these two network offerings with somewhat different appeals, will get our selling messages to a larger number of different viewers each week. Both have proven records of being able to draw large audiences week after week. These two programs will carry our commercials to 23,000,000 homes per week, making a total of approximately 57,000,000 viewer impressions.

"Rawhide" is rated as an adult Western, although that does not exclude millions of the teens and younger fry at the 7:30 time on Fridays. It is well written, packed with action and presented by an outstanding cast.

"Perry Mason," famous lawyer-detective, combines mystery with courtroom drama. Raymond Burr, who plays the title role, was awarded an Emmy in the last competition.

PERSONNEL APPOINTS MRS. STEWART

Mrs. Lillie Ruth Stewart was appointed employment counsellor for female personnel at the Atlanta General Office effective August 16. In her new position, Mrs. Stewart will handle the interviewing of female applicants, and assist John H. Nicholas, Personnel Relations manager, in the service award program and general personnel activities.

A native of East Point, Georgia, Mrs. Stewart has been connected with the Company since 1939, first in the Advertising Department and later as Branch secretary in the Atlanta Branch.

NEW CAN DESIGN FOR COCA-COLA

A new can design, incorporating the outline of the famous Coca-Cola bottle, has been approved by the Packaging and Sales Equipment Committee.

The bottle on the new design is a line drawing in silver and appears behind the trade-mark which is superimposed in red. Both are enclosed in a white field outlined in silver.

The Packaging Committee reports that the new can design is in production and available for shipment to bottlers.



Vol. 8, No. 5

Sept.-Oct., 1961

Published for employees of The Coca-Cola Company and its domestic subsidiaries by the Office of Information of The Coca-Cola Company, P. O. Drawer 1734, Atlanta 1, Georgia.

WILLIAM PRUETT
Editor
FIDELES KLOECKLER
Assistant Editor

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COVER

WHERE'S THE COKE?

When you looked at this refreshing scene of the cowboy enjoying the day's glorious ending, maybe you wondered: "Where's the Coke?" (If you were just a bit indignant . . . that's better!) But by its absence, didn't we put Coke in the picture?

Yes, Coca-Cola "belongs" in the ranching scene. You'll find it in our story about the "dude" ranchers on page 13-15. Photo by Ray Mankie.



Copyright, 1961 by The Coca-Cola Company
"Coca-Cola" and "Coke" are registered trademarks of The Coca-Cola Company.

FORM VA
For a Work of the Visual Arts
UNITED STATES COPYRIGHT OFFICE
REGISTRATION NUMBER

VA VAU
EFFECTIVE DATE OF REGISTRATION

Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1 TITLE OF THIS WORK ▼ **Coca-Cola Can Incorporating The Contour Bottle** NATURE OF THIS WORK ▼ **Label For Coca-Cola Can Incorporating The Contour Bottle**

PREVIOUS OR ALTERNATIVE TITLES ▼

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared Title of Collective Work ▼

If published in a periodical or serial give: Volume ▼ Number ▼ Issue Date ▼ On Page ▼

NAME OF AUTHOR ▼ **The Coca-Cola Company** DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"? Yes No
AUTHOR'S NATIONALITY OR DOMICILE Name of Country: **U.S.A.**
OR Citizen of: **U.S.A.** Domiciled in: **U.S.A.**
WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK? Anonymouse? Yes No Pseudonymouse? Yes No

NATURE OF AUTHORSHIP Check appropriate boxes. See instructions.
 3-Dimensional sculpture Map Technical drawing
 2-Dimensional artwork * Photograph Text
 Reproduction of work of art Jewelry design Architectural work
 Design on sheetlike material * **Entire Label**

NAME OF AUTHOR ▼ DATES OF BIRTH AND DEATH
Year Born ▼ Year Died ▼

Was this contribution to the work a "work made for hire"? Yes No
AUTHOR'S NATIONALITY OR DOMICILE Name of Country: **U.S.A.**
OR Citizen of: **U.S.A.** Domiciled in: **U.S.A.**
WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK? Anonymouse? Yes No Pseudonymouse? Yes No

NATURE OF AUTHORSHIP Check appropriate boxes. See instructions.
 3-Dimensional sculpture Map Technical drawing
 2-Dimensional artwork Photograph Text
 Reproduction of work of art Jewelry design Architectural work
 Design on sheetlike material

** 1-12 act
M. J. Letter for
Wood Case*

3 a YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED **1993** b DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK
Complete this information ONLY if this work has been published. Month Day Year

4 COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2.
The Coca-Cola Company
P. O. Drawer 1734
Atlanta, Georgia 30301
TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

APPROPRIATION RECEIVED **NOV 05 1993**
ONE DEPOSIT RECEIVED **NOV 05 1993**
TWO DEPOSITS RECEIVED
FUNDS RECEIVED

01331173
186131173
employer, not the employee (see instructions). For any part of this work that was "made for hire" check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "author" of that part, and leave the space for dates of birth and death blank.

See instructions before completing this space.

EXAMINED BY _____	FORM VA
CHECKED BY _____	
<input type="checkbox"/> CORRESPONDENCE	FOR
Yes	COPYRIGHT
	OFFICE
	USE
	ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

- Yes No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▼
- a. This is the first published edition of a work previously registered in unpublished form.
- b. This is the first application submitted by this author as copyright claimant.
- c. This is a changed version of the work, as shown by space 4 on this application.
- If your answer is "Yes," give Previous Registration Number ▼ Year of Registration ▼

5

DERIVATIVE WORK OR COMPILED WORK Complete both space 6 and 6b for a derivative work; complete only 6b for a compilation.

a. **Preexisting Material** Identify any preexisting work or works that this work is based on or incorporates. ▼

This work is based upon prior Coca-Cola can labels such as the one attached as Exhibit 2.

6

See instructions before entering this space.

b. **Material Added to This Work** Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

The contour bottle has been added to the label, along with other modifications, and copyright is claimed for the entire label.

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name ▼ Account Number ▼

7

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt./City/State/ZIP ▼

Hillary J. Michaud
The Coca-Cola Company
P. O. Drawer 1734
Atlanta, Georgia 30301

Area Code and Telephone Number ▶ (404) 676-4585

No need to give your daytime phone number

CERTIFICATION I, the undersigned, hereby certify that I am the check only one ▼

- author
- other copyright claimant
- owner of exclusive right(s)
- authorized agent of The Coca-Cola Company
- Name of author or other copyright claimant, or owner of exclusive right(s) ▲

8

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Hillary J. Michaud Date 11/1/93

Handwritten signature (OO) ▼
Hillary J. Michaud

MAIL CERTIFICATE TO

Certificate will be mailed in window envelope

Name ▼ The Coca-Cola Company
Attn: Hillary J. Michaud

Number/Street/Apt. ▼
P. O. Drawer 1734

City/State/ZIP ▼
Atlanta, Georgia 30301

YOU MUST:

1. Complete all necessary spaces.
2. Sign your application in space 9.

FOR MAILING: SEE INSTRUCTIONS ON THE SAME PACKAGE

1. APPROPRIATE TYPE
2. Nonreturnable \$20 filing fee in check or money order payable to Register of Copyrights
3. Dashed in stamp

MAIL TO:
Register of Copyrights
Library of Congress
Washington, D.C. 20540-8000

9

The Copyright Office has the authority to adjust fees in cases of hardship. If you are unable to pay the fee, please contact the Copyright Office at (202) 707-6000. The new edition of this form is effective July 1, 1993. If you are unable to obtain the new edition, please use this form.

*17 U.S.C. § 506(a): Any person who knowingly makes a false representation or a material fact in the application for copyright registration provided for by section 405, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

48 RECYCLED INK RECYCLED PAPER

U.S. GOVERNMENT PRINTING OFFICE: 1993-340-882/85-021

COPYRIGHT
OFFICE

MAILED

January 5, 1994

The Coca-Cola Company
P. O. Drawer 1734
Atlanta, GA 30301
ATTN: Hillary J. Michaud

RE: COCA-COLA CAN INCORPORATING
THE CONTOUR BOTTLE.

Dear Ms. Michaud:

Certainly, we will issue copyright registration for the interpretive drawing of a bottle that has been added to this label, but only if this is new art. Of course, if it is preexisting art that has been borrowed from some other source and then merely formatted into a new layout for this particular label, then there is no basis for issuing registration based on this label. The first-published edition of a work must be used to request copyright registration.

In addition, I must point out that the "entire label" is not protected by copyright law, as you have claimed in spaces 2 and 6b. Other than the rendition of a bottle, there is nothing else here that is protectible. This is because we long have refused to register claims based in whole or in part on elements such as mere spatial format or layout of material according to familiar graphic-designer ideas and techniques and the mere addition and deletion of material in an otherwise non-copyrightable layout. Thus, all the differences between the two labels that you have deposited are not copyrightable, except for the drawing of bottle.

Accordingly, if the drawing of bottle is new art appearing anywhere for the first time in this label, then please file a new application, marking only the choice "2-dimensional artwork" in space 2, without referring to "entire label." In space 6a, you do not need to refer to "attached as Exhibit 2". And in space 6b simply refer to only the new drawing of bottle, omitting references to the "other modifications" and "entire label."

Please reply within 120 days (see Cir. 7c) and return the enclosed copy referring to our CONTROL NUMBER 60-312-333-9(C).

Sincerely,
John G. Ashley
Copyright Examiner
Visual Arts Section
Examining Division

Enclosures:
Cir. 7c, 31, 34
cc this ltr.
VA appl.
Photocopy appl. ret'd.

LIBRARY
OF
CONGRESS

Washington
D.C.
20559